



# National Transportation Safety Board

Washington, D.C. 20594  
NOV 24 2006

Office of the Chairman

Docket Management Facility  
U. S. Department of Transportation  
400 Seventh Street, SW  
Room PL-401  
Washington, D.C. 20590-0001

Attention: Docket No. USCG 2006-25080

Dear Sir or Madam:

The National Transportation Safety Board has reviewed the U.S. Coast Guard's announcement "Medical and Physical Evaluation Guidelines for Merchant Mariner Credentials," which was published in 71 *Federal Register* 188 on September 28, 2006. The notice solicits comments on a draft navigation and vessel inspection circular (NVIC) that will replace the existing NVIC 2-98, "Physical Evaluation Guidelines for Merchant Mariner's Documents and Licenses."

On October 15, 2003, the commuter ferry *Andrew J. Barberi* allided with a maintenance pier at the St. George Terminal on Staten Island, New York, while en route between Manhattan and Staten Island.<sup>1</sup> The vessel sustained heavy damage to its starboard side, and 11 passengers lost their lives, while 70 others suffered injuries in the accident. The assistant captain was the conning officer at the time of the accident. He told two witnesses that he lost consciousness before the allision.

In determining the probable cause of this accident, the Safety Board found that the assistant captain's unexplained incapacitation was a causal factor. In addition, the Board identified deficiencies in the Coast Guard's process for evaluating the physical fitness of merchant mariners for licensure. While these deficiencies were not causal to the accident, they warranted corrective action. As a result, the Safety Board issued the following safety recommendation to the Coast Guard:

## M-05-05

In formal consultation with experts in the field of occupational medicine, review your medical oversight process and take actions to address, at a minimum, the lack of tracking of performed examinations; the potential for inconsistent interpretations and evaluations between medical practitioners; deficiencies in the system of storing medical data; the absence of requirements for mariners or others to report changes in medical condition between examinations; and the limited ability of the Coast Guard to review medical evaluations made by personal health care providers.

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<sup>1</sup> National Transportation Safety Board, *Allision of Staten Island Ferry Andrew J. Barberi, St. George, Staten Island, New York, October 15, 2003*, Marine Accident Report NTSB/MAR-05/01 (Washington, D.C., 2006).

The Coast Guard indicates in the *Federal Register* announcement that the actions recommended by the Safety Board are addressed in the proposed NVIC. In the Safety Board's opinion, the proposed standards, with the modifications proposed below, will enhance marine safety by strengthening the process used to evaluate the physical qualifications of merchant mariners, thus reducing the chances that merchant mariners might experience disqualifying physical or medical conditions while on duty.

The modifications suggested by the Safety Board are consistent with the belief that substance dependence, whether chemical or alcohol, should not be considered curable, but rather should be regarded as chronic and lifelong, requiring continual follow up. Medical literature has shown that even with successful treatment and abstinence for several months or years, relapse rates of over 50 percent are common. The Safety Board therefore suggests that section Nos. 186 and 186a in enclosure (3), "Potentially Disqualifying Medical Conditions and Medications," be revised. References to a cure should be deleted in items No. 186, "Substance Dependence—Abuse/Dangerous Drugs," and No. 186a, "Substance Dependence—Abuse/Alcohol." The Coast Guard should establish guidance for monitoring substance-dependent mariners and require that mariners who have ever been clinically diagnosed with substance dependence, either drugs or alcohol, be monitored as long as their licenses are valid.

With regard to potentially disqualifying medications, the proposed NVIC should be changed to prohibit mariners' use of antihistamines and anti-motion-sickness agents while on duty. The Safety Board's position regarding these pharmaceuticals is based on its investigation of several transportation accidents in which sedating antihistamines were found in the systems of operators and on substantial medical literature demonstrating the adverse effects on performance of antihistamines and anti-motion-sickness agents.

In addition, the Safety Board suggests that the Coast Guard make the following modifications to the proposed NVIC:

- Include conditions that cause impairment as disqualifying, in addition to those that cause incapacitation, as noted in paragraph 5j.
- Elaborate, in the evaluation data noted in enclosure (3), No. 113, on the need for a urological consultation after the first finding of renal calculus, even if a single stone.

The Safety Board appreciates the opportunity to comment on the proposed NVIC.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark V. Rosenker". The signature is fluid and cursive, with a large, sweeping "M" and "R".

Mark V. Rosenker  
Chairman